

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 491

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1 RELATING TO SNOWMOBILES; AMENDING SECTION 67-7101, IDAHO CODE, TO REVISE
2 THE DEFINITION OF "SNOWMOBILE"; AMENDING SECTION 67-7112, IDAHO CODE,
3 TO REVISE PROVISIONS GIVING COUNTIES THE OPTION OF ALLOWING THE USE OF
4 GROOMED SNOWMOBILE TRAILS BY SNOWMOBILES AND SUCH OTHER VEHICLES AS THE
5 COUNTY MAY ALLOW.
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7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Section 67-7101, Idaho Code, be, and the same is hereby
9 amended to read as follows:

- 10 67-7101. DEFINITIONS. In this chapter:
- 11 (1) "All-terrain vehicle" or "ATV" means any recreation vehicle with
12 three (3) or more tires and fifty (50) inches or less in width, having a
13 wheelbase of sixty-one (61) inches or less, has handlebar steering and a seat
14 designed to be straddled by the operator.
 - 15 (2) "Board" means the park and recreation board created under authority
16 of section 67-4221, Idaho Code.
 - 17 (3) "Bona fide snowmobile program" means services or facilities as ap-
18 proved by the department that will benefit snowmobilers such as snowmobile
19 trail grooming, plowing and maintaining snowmobile parking areas and facil-
20 ities, and trail signing.
 - 21 (4) "Dealer" means any person who engages in the retail sales of or
22 rental of snowmobiles, motorbikes, utility type vehicles or all-terrain
23 vehicles.
 - 24 (5) "Department" means the Idaho department of parks and recreation.
 - 25 (6) "Designated parking area" means an area located, constructed,
26 maintained, and signed with the approval of the land manager or owner.
 - 27 (7) "Director" means the director of the department of parks and recre-
28 ation.
 - 29 (8) "Highway." (See section 40-109, Idaho Code, but excepting public
30 roadway as defined in this section)
 - 31 (9) "Motorbike" means any self-propelled two (2) wheeled motorcycle or
32 motor-driven cycle, excluding tractor, designed for or capable of traveling
33 off developed roadways and highways and also referred to as trailbikes, en-
34 duro bikes, trials bikes, motocross bikes or dual purpose motorcycles.
 - 35 (10) "Off-highway vehicle" means an all-terrain vehicle, motorbike,
36 specialty off-highway vehicle or utility type vehicle as defined in this
37 section.
 - 38 (11) "Operator" means any person who is in physical control of a motor-
39 bike, all-terrain vehicle, utility type vehicle, specialty off-highway ve-
40 hicle or snowmobile.
 - 41 (12) "Owner" means every person holding record title to a motorbike,
42 all-terrain vehicle, utility type vehicle, specialty off-highway vehicle

1 or snowmobile and entitled to the use or possession thereof, other than a
2 lienholder or other person having a security interest only.

3 (13) "Person" means an individual, partnership, association, corpora-
4 tion, or any other body or group of persons, whether incorporated or not, and
5 regardless of the degree of formal organization.

6 (14) "Public roadway" means all portions of any highway which are con-
7 trolled by an authority other than the Idaho transportation department.

8 (15) "Snowmobile" means any self-propelled vehicle under ~~one~~ two thou-
9 sand (~~1~~2,000) pounds unladen gross weight, designed primarily for travel
10 on snow or ice or over natural terrain, which may be steered by tracks, skis,
11 or runners.

12 (16) "Specialty off-highway vehicle" means any vehicle manufactured,
13 designed or constructed exclusively for off-highway operation that does not
14 fit the definition of an all-terrain vehicle, utility type vehicle or motor-
15 bike as defined in this section. The vehicle classification provided for in
16 this subsection shall become effective on January 1, 2010.

17 (17) "Utility type vehicle" or "UTV" means any recreational motor vehi-
18 cle other than an ATV, motorbike or snowmobile as defined in this section,
19 designed for and capable of travel over designated roads, traveling on four
20 (4) or more tires, maximum width less than seventy-four (74) inches, maximum
21 weight less than two thousand (2,000) pounds, and having a wheelbase of one
22 hundred ten (110) inches or less. A utility type vehicle must have a minimum
23 width of fifty (50) inches, a minimum weight of at least nine hundred (900)
24 pounds or a wheelbase of over sixty-one (61) inches. Utility type vehicle
25 does not include golf carts, vehicles specially designed to carry a disabled
26 person, implements of husbandry as defined in section 49-110(2), Idaho Code,
27 or vehicles otherwise registered under title 49, Idaho Code. A "utility type
28 vehicle" or "UTV" also means a recreational off-highway vehicle or ROV.

29 (18) "Vendor" means any entity authorized by the department to sell
30 recreational registrations.

31 (19) "Winter recreational parking locations" means designated parking
32 areas established and maintained with funds acquired from the cross-country
33 skiing account.

34 SECTION 2. That Section 67-7112, Idaho Code, be, and the same is hereby
35 amended to read as follows:

36 67-7112. GROOMED SNOWMOBILE TRAILS. Counties shall have the option to
37 allow all-terrain vehicles and snowmobiles over one thousand (1,000) pounds
38 unladen gross weight, if registered as a snowmobile, to use snowmobile
39 trails in the county. No other vehicles shall operate on groomed snowmobile
40 trails unless specifically allowed by the county. Any all-terrain vehicle
41 and snowmobile over one thousand (1,000) pounds unladen gross weight oper-
42 ating on groomed snowmobile trails during the winter snowmobiling season
43 when the trails are groomed shall be registered as a snowmobile under the
44 provisions of section 67-7103, Idaho Code. ~~Counties shall have the option~~
45 ~~to allow all-terrain vehicles, if registered, to use snowmobile trails in~~
46 ~~the county. No other vehicles shall operate on groomed snowmobile trails~~
47 ~~unless specifically allowed by the county. Violation of the provisions of~~
48 this section shall be an infraction.